

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ANTHONY YANCEY,)	
)	Civil Action
Petitioner)	No. 2007-CV-01963
)	
vs.)	
)	
MR. LOCKETT,)	
THE DISTRICT ATTORNEY OF THE)	
COUNTY OF PHILADELPHIA and)	
THE ATTORNEY GENERAL OF THE)	
STATE OF PENNSYLVANIA,)	
)	
Respondents)	

O R D E R

NOW, this 13th day of February, 2008, upon consideration of the pro se petition for writ of habeas corpus, which petition was filed May 15, 2007; upon consideration of the Response to Petition for Writ of Habeas Corpus filed August 16, 2007; upon consideration of the Report and Recommendation of United States Magistrate Judge Jacob P. Hart filed December 18, 2007; it appearing that as of the date of this Order that petitioner has not filed any objections to the Report and Recommendation of Magistrate Judge Hart; it further appearing after review of this matter that Magistrate Judge Hart's Report and Recommendation correctly determined the legal and factual issues presented in the petition for habeas corpus relief,

IT IS ORDERED that Magistrate Judge Hart's Report and Recommendation is approved and adopted.

IT IS FURTHER ORDERED that the pro se petition for habeas corpus relief is dismissed without an evidentiary hearing.

IT IS FURTHER ORDERED that because petitioner fails to demonstrate denial of a constitutional right, a certificate of appealability is denied.

IT IS FURTHER ORDERED that the Clerk of Court shall mark this matter closed.

BY THE COURT:

/s/ JAMES KNOLL GARDNER
James Knoll Gardner
United States District Judge